

### **Remarks**

Applicants respond herein to each of the issues raised in the Final Action. Applicants appreciate the thorough examination of the present application and the indication of allowance of Claims 12, 14, 16, 23, 26, 28-38, 46 and 47 and the indication of allowable subject matter in Claims 7-11, 13, 15 and 19-21. Applicants submit the present application is in form for allowance for the reasons discussed below.

Claims 7 and 19 have been amended above to place them in independent form. Independent Claim 1 and 39 have been amended as will be discussed below. Various claims have been canceled. After entry of this amendment, Claims 1-5, 7-16, 19-24, 26, 28-43 and 46-47 remain pending in this case.

### **Claims 7-11, 13, 15, and 19-21 Are in Form For Allowance:**

Claims 7 and 19 have been amended to independent form above and include subject matter indicated as patentable in the Final Action. Final Action, p. 4. Accordingly, Applicants request allowance of these claims in light of the indication in the Final Action that these claims contained patentable subject matter. Applicants request allowance of Claims 8-11, 13, 15 and 20-21 depending from these claims at least based on their dependence from a patentable independent claim.

### **The Section 102 Rejections**

Claims 1-6, 17-18, 22, 24, 39-43 and 48-49 stand rejected as anticipated under 35 U.S.C. § 102 by United States Patent No. 6,535,682 to Puetz *et al.* ("Puetz"). Final Action, p. 2. Applicants submit that the anticipation rejections should be withdrawn at least as Puetz does not disclose the connectorized pigtails extending from a splitter as recited in amended independent Claims 1 and 39. Claims 1 and 39 have been amended to make the distinction between the connectorized pigtails and the jumper cables in the cross-connect cabinet of Puetz even clearer in light of the Office Action's broad interpretation of the term pigtail to include a jumper cable inserted in a connector of a splitter.

Amended independent Claim 1 recites:

An interconnect cabinet for optical fibers, comprising:  
an enclosure;  
a splitter mounted in the enclosure that is configured to optically couple a plurality of optical fibers to a single optical fiber and having a plurality of optical fiber connectorized pigtails extending therefrom, **each of the connectorized pigtails having a first end optically coupled in the splitter to an optical fiber feeder cable to be coupled to a central office and a second end having an optical connector thereon with an optical fiber extending from the first end to the second end;**  
a termination panel mounted in the enclosure and having a plurality of optical fiber connection members, ones of which are associated with respective subscriber locations; and  
wherein the connectorized pigtails have **a cable length from the first end to the second end, without a connector therebetween, sufficient to allow connection to the plurality of connection members.**

Applicants submit that at least the highlighted recitations of Claim 1 are not disclosed by Puetz.

In rejecting Claim 1, the Final Action asserts that Puetz teaches "a plurality of optical fiber pigtails (of any necessary length) extending from the splitter to an optical fiber feeder cable to external environment (column 15 lines 47-57, column 17 lines 59-63)." Final Action, p. 2. While no item number is provided for the alleged pigtails of Puetz, item 1200 is identified as a splitter tray and item 1242 is identified as a splitter in the Final Action. Final Action, p. 2. In addition, the cited excerpt at column 17 discusses features, including the couplers 1242, that can be seen in Figure 58 of Puetz (although the excerpt more generally relates to Figures 50-58, reference herein will be to Figure 58 to simplify the discussion).

As described in Puetz, fibers 1248 extend from the couplers 1242 to internal front connectors 1250 at front adapters 134. While the couplers 1242 and connectors 1250 may, thus, be viewed as connectorized pigtails, they do not extend from the module 1200 nor do they have a length sufficient to provide for a cross-connect to the termination modules 32, 932 of Puetz cited as the termination panels in the Final Action. Puetz, Col. 17, lines 59-63. Puetz does state that the adapters 134 are configured for "receiving connectors 142a of patch cables." Puetz, Col. 17, lines 35-36. Thus, the connections in Puetz, like other conventional

cross-connect cabinets, is described as using patch cables, which are connectorized on each end, to provide cross-connections.

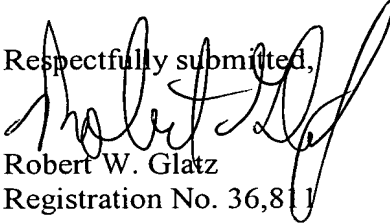
In contrast, as recited in amended independent Claim 1, connectorized pigtails extend from a splitter and have a length sufficient to allow an interconnection to be formed without using a patch cable or intervening connector points. To make this distinction clear in light of the broad meaning provided to pigtails in the Final Action, Claim 1 has been amended, among other things, to recite "a cable length from the first end to the second end, **without a connector therebetween**, sufficient to allow connection to the plurality of connection members." Claim 1 (emphasis added). Such an approach is clearly not disclosed by Puetz. Accordingly, the anticipation rejection of Claim 1 should be withdrawn for at least these reasons. The anticipation rejection of independent method Claim 19 should be withdrawn at least for substantially similar reasons based on corresponding recitations therein. The claims depending therefrom are patentable at least based on their dependence from a patentable independent claim.

Puetz also fails to suggest use of such connectorized pigtails extending from a splitter. Instead, in illustrating the use of a module with connectors for coupling to incoming and outgoing optical fibers and the use of patch cables for cross-connects, Puetz, if anything, teaches away from the present invention as recited in Claims 1 and 19 and the claims that depend therefrom. In addition, Puetz relates to cross-connect rather than interconnect cabinets. Accordingly, Puetz also fails to suggest the invention as recited in Claims 1 and 19 and the claims that depend therefrom. Accordingly, the rejections of independent Claims 1 and 19 and the claims that depend therefrom should be withdrawn for at least these reasons.

### **Conclusion**

In view of the above, Applicants submit that the pending claims are in condition for allowance and respectfully request allowance of the present application. If further informalities are noted, the Examiner is encouraged to contact the undersigned by telephone to expedite allowance of the present application.

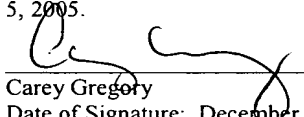
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop RCE, Commissioner for Patents, PO Box 1450, Alexandria, VA, 22313-1450, on December 5, 2005.

  
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